

SEP 2 4 2004

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

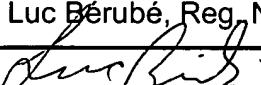
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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/757,938	
	Filing Date	January 16, 2004	
	First Named Inventor	HALL, David J.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	14	Attorney Docket Number	9-15186-4US-1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Cover letter (2 pages), copy of Notice to File Missing Parts (2 pages), Assignment, combined Declaration and Power of Attorney.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Luc Bérubé, Reg. No. 55,968
Signature	
Date	September 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 24 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

1,160

Complete if Known

Application Number	10/757,938
Filing Date	January 16, 2004
First Named Inventor	HALL, David J.
Examiner Name	
Art Unit	
Attorney Docket No.	9-15186-4US-1

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:
 Deposit Account Number
 Ogilvy Renault

19-5113

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)		0	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims		-20** =	
Independent Claims		X	=
Multiple Dependent		- 3** =	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	950
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	80
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

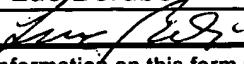
Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

1,160

SUBMITTED BY

Name (Print/Type)	Luc Bérubé	Registration No. (Attorney/Agent)	55,968	Telephone	(613) 780-8601
Signature				Date	September 22, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**OGILVY
RENAULT**

September 22, 2004

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1879-2004

RESPONSE TO NOTICE TO FILE MISSING PARTS
UNDER 37 CFR 1.53(b)

Mail Stop Missing Parts

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

**THIS IS A CONFIRMATION
ONLY OF LETTER AND
ENCLOSURES
SENT September 22, 2004**

Dear Sir:

RE: United States Patent Application 10/757,938
**Title: CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH
OPTICAL IMAGING**
Serial No.: 10/757,938
Filing Date: January 16, 2004
Inventors: HALL, David Jonathan et al.
Assignee: ART, Advanced Research Technologies, Inc.
Our File: 9-15186-4US-1 LB:lf/bd

In response to the Notice to File Missing Parts under 37 CFR 1.53(b) mailed April 22, 2004, enclosed are the following:

1. Transmittal Form (PTO/SB/21).
2. Copy of Notice to File Missing Parts under 37 CFR 2.53 (b).
3. Declaration and Power of Attorney for Patent Application.
4. Assignment in favour of ART, Advanced Research Technologies, Inc
5. Formal Drawings
6. Extension Request under 37 CFR 1.136(a)
7. Fee Transmittal for FY 2001 (PTO/SB/17), in duplicate, covering payment of the Declaration surcharge (\$130.00), assignment recordal fee (\$80.00) and extension of time fee charged to our Account No. 19-5113.
8. Return post card.

**OGILVY
RENAULT**

The Commissioner is hereby authorized to charge the above fees, as well as any additional fees which may be required, or credit any overpayment to our Account No. 19-5113.

Please note that the address of the agents for the applicant in this matter should be the Montreal address identified in the enclosed Power of Attorney. Correspondence may be directed to Luc Bérubé at the Montreal address of Ogilvy Renault.

Respectfully submitted,



Luc Bérubé, Ph.D.
Reg. No. 55,968
Agent of Record

Encls.



**OGILVY
RENAULT**

125
18189 - 2004

September 23, 2004

Mail Stop Missing Parts

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Dear Sir:

RE: United States Patent Application 10/757,938
**Title: CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH
OPTICAL IMAGING**
Serial No.: 10/757,938
Filing Date: January 16, 2004
Inventors: HALL, David Jonathan et al.
Assignee: ART, Advanced Research Technologies, Inc.
Our File: 9-15186-4US-1 LB:lf/bd

Further to our letter dated September 22, 2004 filing a response to the Notice to File Missing Parts, we enclose the following:

1. Original Declaration and Power of Attorney for Patent Application
2. Original Assignment in favour of ART, Advanced Research Technologies, Inc
3. Original formal drawings 3, 5a, 5b, 6a and 6b.

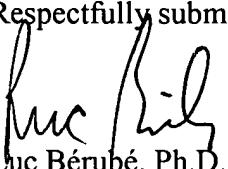
We also enclose the confirmation copy of the documents submitted on September 22, 2004.

In addition, we enclose herewith a copy of the Notice to File Missing Parts under 37 CFR 2.53(b) which we erroneously did not include with our letter of September 22, 2004.

**OGILVY
RENAULT**

Please note that the address of the agents for the applicant in this matter should be the Montreal address identified in the enclosed Power of Attorney. Correspondence may be directed to Luc Bérubé at the Montreal address of Ogilvy Renault.

Respectfully submitted,


Luc Bérubé, Ph.D.

Reg. No. 55,968
Agent of Record

Encls.

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D

UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/757,938	01/16/2004	David Jonathan Hall	9-15186-4US-1 LB:If

020988
OGILVY RENAULT
1981 MCGILL COLLEGE AVENUE
SUITE 1600
MONTREAL, QC H3A2Y3
CANADA

CONFIRMATION NO. 6329

FORMALITIES LETTER



OC000000012429521

Date Mailed: 04/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/27/2004 HLE333 00000062 195113 10757938

01 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 3, 5A, 5B, 6A.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

How
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE